III. REMARKS

The spelling has been corrected in claims 14 and 28. Therefore, they are no longer objectionable.

Claims 8, 21, 22, and 28 have been amended to conform to 35 USC 112, second paragraph using language suggested by the Examiner. If the Examiner still objects, a telephone conference is suggested.

As earlier discussed, Settsu does not in any way discuss User Interface modules, but simply the as fast as possible loading and implementation of Operating System modules. The Examiner discusses how Settsu teaches the method for event-driving loading. The meaning of this concept remains somewhat unclear, but in any case, it is not connected to the insertion of any external expansion card to a system in such a manner that the insertion of such a card would function as an event somehow causing a loading. At the most, this event can be some kind of a software-based event, but no changes are taking place on the hardware side, which would function as triggers for the event, are connected to it.

Settsu only discusses the loading of different parts of the operating system in a certain manner phase-by-phase, so that the time used for that loading can be minimized as a whole. Settsu does not mention expansion cards at all, and neither does he mention that inserting one would function as a trigger controlling the different phases of loading.

On the basis of this, a man skilled in the art is not in any way taught how the insertion of an external expansion card would in any way change the loading of different parts of an operating system because according to Settsu this event is aimed to be

finished from start to end as quickly as possible in order to have the entire operating system in operation.

Moreover, the operating system software and the User Interface Software referred to in the present invention can possibly be understood as very different issues because the latter software is rather an application that is run over said operating system rather than a part of the operating system itself.

Garney discusses how the device drivers of a feature card connected to a computer can be used. A feature card is different than the expansion card in the present claims.

According to Garney's teaching (see, e.g., the abstract), when a card is inserted to a computer, the stub code image in the memory of the card is read to the computer system memory. Therefore, Garney teaches that the insertion of the card functions as a trigger, which causes said one-phase event. However, the entire device driver software is not transferred at all to the memory of the computer, but it is driven from the card memory by utilizing said stub code.

In view of the present invention, the significant difference is therefore that even though the card coupling to the computer now triggers the loading of the driver to the system memory, the triggered event is purely one-phase in comparison to the applicants' invention. According to the present invention, the User Interface software is divided into two modules, which both are loaded to the memory of the computer. The first module is loaded to the memory without the triggering received from inserting the card. Therefore it is already in the memory when the card is inserted, in which case the card insertion triggers

12

the second phase of this two-phase loading, where said first module loads said second module into the memory.

The User Interface Software referred to in the invention is also not the same as the device driver mentioned by Garney.

In other words, Settsu and Garney, either alone or together, do not tell a man skilled in the art how the User Interface Software is loaded to the memory in two phases in such a manner that the insertion of a card starts that second phase of loading. Combining these two references is not obvious for a man skilled in the art because Settsu discusses only operating system modules without mentioning expansion cards or UI software, and Garney, for his part, only discusses device drivers and loading them as an entirely one-phase procedure.

Chrabaszcz discusses the automatic configuration of a computer system in a situation where a new device has been added to the system. The hot plug-type solution presented therein is especially closely connected to server systems, where it is important to minimize the downtime caused by maintenance or repairs. The reference presents a solution, by means of which a new device is connected to the server bus (typically e.g. PCI, EISA or ISA) without having to run down the server for this. By means of the solution presented, the server is re-configured after the addition of the device, whereupon the device can be used without interrupting the other operations of the server.

In comparison to the present invention, Chrabaszcz discusses an entirely different type of a device environment and focuses especially on servers. Also, the problem is of a different nature by being related to the maintenance and repair procedures of servers rather than, for example, to the routine use of PCMCIA

13

expansion cards in laptop computers. In addition, Chrabaszcz does not mention User Interface modules at all.

In other words, when considering a man skilled in the art, who is searching for a solution for a quick download of User Interface software of an expansion card to his personal data processing device, it is not in any way likely that he would look for a solution from references concerning a server system. It is not at all typical for server systems that a certain expansion card would be routinely attached and detached from a device. Therefore, it cannot be considered likely that the teaching of Chrabaszcz would be in any way combined with the teachings of Settsu and/or Garney.

In this regard, see Ex parte Jones, 62 USPQ2d 1206, 1208 (Examiner should indicate where in prior art there is a teaching or suggestion to combine references) and Teleflex Inc. V. Ficosa North American Corp. 63 USPQ2d 1374, 1387 (nature of problem can supply motivation to combine). Here there is no such pointing out by the Examiner and no problem with card insertion in the references.
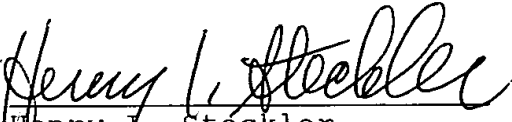
In summary, there is no motivation to combine the references since they are concerned with different problems. Even if somehow the references are combined, the result is not the present invention since the claimed concept of two phase loading with the second phase starting when an expansion card is coupled to an electronic device is still missing from the combination.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable

reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

Henry I. Steckler
Reg. No. 24,139

Feb 24, 2004
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT   06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 2|24|04

Signature: _____
Person Making Deposit

15